



Attorneys at Law

45 BROADWAY, SUITE 430, NEW YORK, NEW YORK 10006

TEL: (212) 248-7431 FAX: (212) 901-2107

WWW.NYCEMPLOYMENTATTORNEY.COM

A PROFESSIONAL LIMITED LIABILITY COMPANY

December 21, 2023

Via ECF:

Judge Lewis J. Liman, United States District Judge
United States District, Southern District of New York
500 Pearl Street, Room 1620
New York, NY 10007

Re: ***Gutierrez v. Fidelis Restaurant Management, Inc., et. al. (1:23-cv-06614)***

Your Honor:

We represent Plaintiff Marlon Guttierrez in the above matter which was filed on July 28, 2023 and answered by Defendants on October 20, 2023. The parties are currently scheduled for an Initial Pretrial Conference in front of Your Honor on January 05, 2024, at 12:00PM. The parties were scheduled to mediate this case on December 19, 2023, however, Plaintiff requested to adjourn the mediation and Defendants consented to such request. The parties have conferred with the Court appointed mediator and have rescheduled the mediation for January 12, 2023.

We write jointly with Defendants Fidelis Restaurant Management, Inc. d/b/a Chick-Fil-A Grand Central, Eleanor “Ellie” Kim, *In Her Individual And Official Capacities* (“Defendants”) to request an adjournment of the Initial Pretrial Conference. As the parties are currently exploring settlement in advance of the upcoming mediation, we respectfully request that the Initial Pretrial Conference be adjourned until after the January 12th mediation session. This is the parties’ first extension request.

Thank you for your assistance in this matter.

The request is GRANTED. The Initial Pretrial Conference is adjourned to January 24, 2024 at 3:00 PM. Parties are directed to dial into the Court's teleconference number at 888-251-2909, Access Code 2123101. IT IS FURTHER ORDERED that, by one week prior to conference, the parties jointly submit to the Court a proposed Case Management Plan and Scheduling Order.

SO ORDERED.

A handwritten signature in black ink, appearing to read "L. Liman".

LEWIS J. LIMAN
United States District Judge

PHILLIPS & ASSOCIATES,
ATTORNEYS AT LAW, PLLC

A handwritten signature in blue ink, appearing to read "Michelle A. Caiola".

By:

Michelle A. Caiola, Esq.
Jonathan Goldhirsch, Esq.
Phillips & Associates, PLLC

December 29, 2023

Attorneys for the Plaintiff
45 Broadway, Suite 430
New York, New York 10006
T: (212) 248 – 7431
F: (212) 901 – 2107
mcaiola@tpglaws.com